

CPAM 2005-0004

**Eminent Domain &
Protection of Existing Communities**

Board of Supervisors
Public Hearing
September 11, 2007

Background

- July 19, 2005 – CPAM initiated by Board in response to Kelo v. City of New London, CT
 - Supreme Court upheld the use of eminent domain as an economic development tool
 - Board of Supervisors concerns regarding this decision prompted consideration of clarifying or adding Plan Policy to address 3 issues:
 - Eminent Domain
 - Redevelopment/Revitalization of Existing Communities
 - Downtowns/Town Centers

Eminent Domain

- BOS proposal
 - Add language that opposes the use of eminent domain for economic development purposes
- PC Proposal
 - Exercise eminent domain only as provided by State Code
- Staff Recommendation
 - Language not necessary; do not include in Plan

Redevelopment/Revitalization

- BOS proposal
 - Remove language that allows redevelopment in established communities of the Suburban Policy Area
 - Maintain and enhance Revitalization policies for existing communities
- PC Proposal
 - Refine BOS language regarding revitalization
 - Add definitions for redevelopment & revitalization
- Staff Recommendation
 - Retain redevelopment as a community development option
 - Add definitions for redevelopment & revitalization

Downtowns/Town Centers

- BOS proposal
 - Removes language that calls for a Town Center (Downtown) in each of the 4 communities of the Suburban Policy Area
 - Limits consideration of Town Centers to the communities west of Route 28 (Dulles, Ashburn)
- PC Proposal
 - Modifies Board proposal to include consideration of one or more Town Centers west of Route 28 and in the area east of 28 as described in attachment
 - Locations would be determined through Community Planning process or land development proposals w/ outreach & input
- Staff Recommendation
 - Maintain current Plan policy

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Eminent Domain & Protection of Existing Communities

- Summary
 - Make policy changes per original BOS recommendations
 - Make policy changes per PC recommendations
 - Retain existing Plan policies
- Questions

<http://www.loudoun.gov/planning/eminent>
Joe Gorney, AICP, Project Manager
Department of Planning
703-777-0246

Town Centers

PC-Recommended Change

